

THE CONSTITUTION OF THE STATE OF MONTANA, ARTICLE VIII - REVENUE AND  
FINANCE

**Section 6. Highway revenue non-diversion.** (1) Revenue from gross vehicle weight fees and excise and license taxes (except general sales and use taxes) on gasoline, fuel, and other energy sources used to propel vehicles on public highways shall be used as authorized by the legislature, after deduction of statutory refunds and adjustments, solely for:

(a) Payment of obligations incurred for construction, reconstruction, repair, operation, and maintenance of public highways, streets, roads, and bridges.

(b) Payment of county, city, and town obligations on streets, roads, and bridges.

(c) Enforcement of highway safety, driver education, tourist promotion, and administrative collection costs.

(2) Such revenue may be appropriated for other purposes by a three-fifths vote of the members of each house of the legislature.

Convention Notes:

Revises 1956 amendment to the 1889 constitution by removing motor vehicle registration fees from the earmarking provision; by including local government road and street systems, highway safety programs and driver education programs as permissible uses of earmarked funds; and by allowing the legislature by a three-fifths vote to divert the earmarked funds to other purposes.

Title 60 - HIGHWAYS AND TRANSPORTATION, CHAPTER 2 - STATE ADMINISTRATION

**60-2-110. Setting priorities and selecting projects.** (1) Except as provided in 60-2-133 (U.S. highway 2 – planning), the (Transportation) commission shall establish priorities and select and designate segments for construction and reconstruction on the national highway system, the primary highway system, the secondary highway system, the urban highway system, and state highways.

(2) The commission shall consult with the board of county commissioners of the county in which a highway is located when establishing priorities and when selecting and designating segments on the secondary highway system for construction and reconstruction.

(3) The commission shall consult with the appropriate local government authorities when establishing priorities and selecting and designating segments on the urban highway system for construction and reconstruction.

(4) The commission shall use information gathered or discovered by and documents prepared by the department, and department officials and employees shall provide assistance and advice.

(5) The commission shall establish and determine priorities and projects for rail and transit programs and, to the extent possible, coordinate intermodal transportation within the state.

(6) In carrying out the requirements of this section, the department shall:

(a) make recommendations to the commission;

(b) establish the requirements and procedures for administering this section; and

(c) take all reasonable steps to ensure the integrity and viability of agricultural and rural transportation and related needs.

History: En. Sec. 1, Ch. 30, L. 1983; amd. Sec. 8, Ch. 87, L. 1993; amd. Sec. 3, Ch. 75, L. 1995; amd. Sec. 2, Ch. 269, L. 2001.







MDT FTE Requests									
Program / DP #	Position #	FTE	2014 PS Cost	2015 PS Cost	Total PS Biennium	2014 Op Costs	2015 Op Costs	Total Op Costs	Total DP Cost
<u>Maintenance Program / DP 303 (Present Law Proposal)</u>									
	54198981	1	\$52,083	\$52,014	\$104,097				
	54198982	1	52,083	52,014	104,097				
	54198983	1	52,083	52,014	104,097				
	54198984	1	52,083	52,014	104,097				
	54198985	<u>1</u>	<u>52,083</u>	<u>52,014</u>	<u>104,097</u>				
Total Costs		5	\$260,415	\$260,070	\$520,485	\$123,608	\$113,116	\$236,724	\$757,209
Expand Transportation Infrastructure - To manage operations related to increases in lane miles and infrastructure from highway construction projects. Addresses additional operational costs associated with winter maintenance operations and normal maintenance including surface, shoulders, and roadside maintenance. This proposal would be funded with restricted Highway Special Revenue (HSRA-R).									
<u>Motor Carrier Services / DP 2201 (New Proposal)</u>									
	54122150	1	\$53,394	\$53,318	\$106,712				
	54122151	1	53,394	53,318	106,712				
	54122152	1	53,394	53,318	106,712				
	54122153	<u>1</u>	<u>53,394</u>	<u>53,318</u>	<u>106,712</u>				
		4	\$213,576	\$213,272	\$426,848	\$0	\$0	\$0	\$426,848
MCS Patrol FTE - Establish a roving patrol program to address activities, as seen in areas such as Teton and Cascade Counties, where manufacturing activities supporting Oil Sands operations in Canada have increased commercial trucking activities. The program would allow flexibility to adapt to changing trucking activities. This proposal would be funded with restricted Highway Special Revenue (HSRA-R).									
<u>Motor Carrier Services / DP 2202 (New Proposal)</u>									
	54133331	1	\$56,862	\$56,778	\$113,640				
	54133332	1	56,862	56,778	113,640				
	54133333	1	56,862	56,778	113,640				
	54133334	1	56,862	56,778	113,640				
	54133335	1	56,862	56,778	113,640				
	54133336	1	56,862	56,778	113,640				
	54133337	<u>1</u>	<u>35,391</u>	<u>35,345</u>	<u>70,736</u>				
		7	\$376,563	\$376,013	\$752,576	\$0	\$0	\$0	\$752,576
Boarder Enforcement FTE - To increase and sustain safety compliance of commercial vehicles that cross the US/Canadian border. The boarder Enforcement Grant (BEG) program is primarily a Montana/Canada border program with the objective of assuring compliance with state and federal safety laws and regulations. In conjunction with safety inspections, MDT also screens for and enforces illegal transport of goods, including volatile commodities and drug interdiction. This proposal would be funded with MCS Federal Grants funds.									
<u>Rail, Transit, &amp; Planning Division / DP 5008 (Present Law Proposal)</u>									
	54136119	1	\$68,992	\$68,889	\$137,881				
	54136120	<u>1</u>	<u>68,992</u>	<u>68,889</u>	<u>137,881</u>				
		2	\$137,984	\$137,778	\$275,762	\$378,750	\$373,000	\$751,750	\$1,027,512
MAP 21 Performance Based Planning - Increase personal services and operating expenses to comply with requirements for transportation planning and programming under the new federal surface transportation law (MAP 21). This proposal would be funded with restricted Highway Special Revenue (HSRA-R) and Federal Highway Trust funds (20:80).									
Total FTE Requests		<u>18</u>	<u>\$988,538</u>	<u>\$987,133</u>	<u>\$1,975,671</u>	<u>\$502,358</u>	<u>\$486,116</u>	<u>\$988,474</u>	<u>\$2,964,145</u>



